

1 BILL NO. S-86-02-23

2 SPECIAL ORDINANCE NO. S- 33-86

3 AN ORDINANCE approving Civil City
4 Purchase Order #A-46464, with the
5 Ennis Paint Mfg., Inc., for the
6 Traffic Engineering Department of
7 the City of Fort Wayne, Indiana.

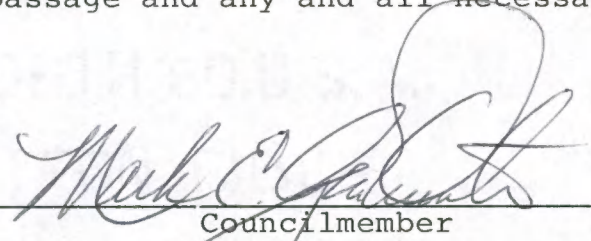
8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
9 THE CITY OF FORT WAYNE, INDIANA:

10 SECTION 1. That Civil City Purchase Order #A-46464,
11 between the City of Fort Wayne, by and through the Civil City
12 Purchasing Agent and the Department of Purchasing, with the Ennis
13 Paint Mfg., Inc., for the Traffic Engineering Department of the
14 City of Fort Wayne, respectfully for:

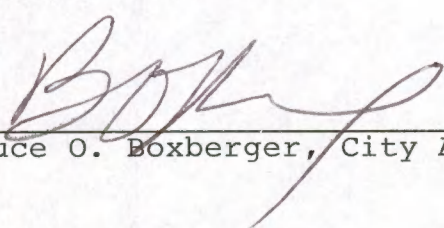
15 the purchase of pavement marking
16 material for the Traffic Engineer-
17 ing Department, per the specifica-
18 tions in Reference #1240;

19 involving a total cost of Thirty-Seven Thousand Three Hundred
20 Fifteen and 15/100 Dollars (\$37,315.15), all as more particularly
21 set forth in said Purchase Order and Reference #1240, which are on
22 file in the Office of the Department of Purchasing, and are by
23 reference incorporated herein, made a part hereof, and are hereby
24 in all things ratified, confirmed and approved.

25 SECTION 2. That this Ordinance shall be in full force
26 and effect from and after its passage and any and all necessary
27 approval by the Mayor.

28 
29 Councilmember

30 APPROVED AS TO FORM
31 AND LEGALITY

32 
Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 2-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 3-11-86

Nadya Escherff
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (~~APPROPRIATION~~) (~~GENERAL~~)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 33-86
on the 11th day of March, 1986

ATTEST:

(SEAL)

Nadya Escherff
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Nadya Escherff
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of March, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

TAB SHEET BID REFERENCE #1240
 PAVEMENT MARKING MATERIAL
 OPENS: FEBRUARY 11, 1986 AT 10:00 A.M.
 TRAFFIC ENGINEERING

COMPANY NAME	WHITE NON-REF. PER GAL.	YELLOW NON-REF. PER GAL.	WHITE HIGH-VIS. PER GAL.	YELLOW HIGH-VIS. PER GAL.	DELIVERY TIME
DeSANTIS COATING	\$3.91	\$3.81	\$3.81	\$3.78	30 DAYS
REDLAND PRISMO	\$4.47	\$4.43	\$4.35	\$4.07	30 DAYS
ENNIS PAINT	\$4.141	\$3.813	\$3.769	\$3.441	30-40 DAYS
BALTIMORE	\$4.22	\$4.17	\$4.02	\$3.85	30-45 DAYS
FERRO	NO BID				

2.
(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

BID REFERENCE # 1240

DATE JANUARY 23, 1986

DUE DATE FEBRUARY 11, 1986 AT 10:00 A.M.

Department receiving bid items TRAFFIC ENGINEERING DEPARTMENT

1710 S. LAFAYETTE STREET

FORT WAYNE, INDIANA 46803

Bid Bond Required	NO <u> </u>	YES <u>X</u>	AMOUNT <u>5%</u>
Performance Bond Required	NO <u>X</u>	YES <u> </u>	AMOUNT <u> </u>
Affirmative Action	ON FILE <u> </u>	ATTACHED <u> </u>	

Prompt payment discounts will be allowed as follows: NONE %
if paid within days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

Ennis Paint Mfg., Inc.

Name of Company Ennis Paint Mfg., Inc.

by *Ennis Mfg.* Agent
(signature)

Assistant Vice President

Address P.O. Box 6

City Ennis, Texas 75119

BIDDERS PROPOSAL SECTIONREFLECTIVE AND NON-REFLECTIVE PAVEMENT MARKING MATERIAL

<u>ESTIMATED QUANTITY</u>	<u>COLOR</u>	<u>TYPE OF MATERIAL</u>	<u>PRICE PER GAL F.O.B. FORT WAYNE</u>	<u>TOTAL</u>
275 GALLONS (5 GAL.PAILS)	WHITE	NON-REFLECTIVE	<u>\$4.141</u>	\$1138.775
175 GALLONS (5 GAL.PAILS)	YELLOW	NON-REFLECTIVE	<u>\$3.813</u>	\$667.275
*14,025 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	WHITE	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	<u>\$3.769</u>	\$52,860.225
**10,175 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	YELLOW	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	<u>\$3.441</u>	\$35012.175

*6,875 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

*2,750 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

**4,125 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

**550 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

F.O.B. Fort Wayne, Indiana DELIVERY TIME AFTER RECEIPT OF ORDER 30-45 Days ARO

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Ennis Paint Mfg., Inc.

_____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

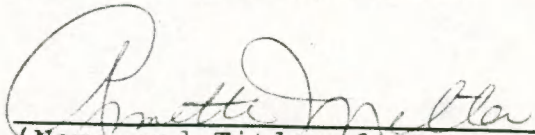
The undersigned states, on behalf of Ennis Paint Mfg., Inc.

_____, that Ennis Paint Mfg., Inc. does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 4th day of February, 1986.

Ennis Paint Mfg., Inc.

(Name of Bidder/Vendor)



(Name and Title of Person Signing)
Annette Miller, Assistant Vice President

CERTIFICATE OF COMPLIANCE
FOR
REFLECTORIZED PAVEMENT MARKING PAINTS
(to be attached with all papers on bid quotes)

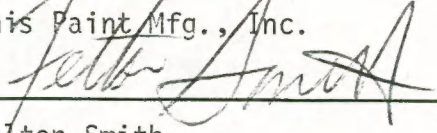
To: Office of City Traffic Engineer
Room 740, City-County Building
Fort Wayne, IN 46802

Having Authority to act for the Ennis Paint Mfg., Inc.
(company name)

_____, of P.O. BOX 6, Ennis, Texas
(address)

_____, I do hereby certify that the
ReflectORIZED Pavement Marking Paints submitted under this
contract by the aforementioned company do conform and meet the
specification as set forth for this contract.

I further certify that said paints are manufactured by _____
Ennis Paint Mfg., Inc., and have been tested by a bonafide
testing laboratory, and so meet the standards set forth in the
specifications.

	Ennis Paint Mfg., Inc.
(Signature)	<u></u>
Name	<u>Felton Smith</u>
Title	<u>Technical Director</u>
For the	<u>Ennis Paint Mfg., Inc.</u>
of	<u>Ennis, Texas</u>

2.
(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

BID REFERENCE # 1240

DATE JANUARY 23, 1986

DUE DATE FEBRUARY 11, 1986 AT 10:00 A.M.

Department receiving bid items TRAFFIC ENGINEERING DEPARTMENT

1710 S. LAFAYETTE STREET

FORT WAYNE, INDIANA 46803

Bid Bond Required

NO YES X AMOUNT 5%

Performance Bond Required

NO X YES AMOUNT

Affirmative Action

ON FILE ATTACHED X

PAYMENT TERMS: NET 30
Prompt payment discounts will be allowed as follows: %
if paid within days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

REDLAND PRISMO CORPORATION

Name of Company

by

(signature)

Agent

Address

300 Lanidex Plaza

City

Parsippany, NJ 07054

(e) Complete (1) and (2) below if participation goals of 15% MBE and 12% WBE have not been met:

1. My Company cannot meet the participation goals for the following reasons: due to raw material specifications and competitive cost. Unable to locate MBE & WBE firms for chemical purchases.

2. We have taken the following steps in an attempt to comply with these participation goals: informed purchasing to obtain MBE & WBE lists of available suppliers

Contractor

By _____
Its _____

Contractor

By _____
Its _____

☐ 12. Performance Bond. The successful bidder, at the time of signing the contract will be required, at his own expense, to furnish a bond guaranteeing faithful execution of the contract, in full amount of the contract price, executed by the bidder and a surety company admitted to do business in Indiana, on the bond form provided or approved by the City. The Performance Bond shall contain the following clause: "The said Surety, for value received, hereby stipulates and agrees, that no change, extension of the time, alteration or addition to the terms of the contract or to the work to be performed thereunder, or the specifications accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any change, extension of time, alteration or addition to the terms of the contract, or to the work or specification.

☒ 13. Councilmanic Approval and Ratification of Contract. This agreement, although executed on behalf of the City by the Mayor and the Purchasing Agent shall not be binding upon the City unless and until the contract has been ratified and approved by the Common Council of the City of Fort Wayne, Indiana. If the Common Council fails to approve the contract within ninety days after the date of bid opening, then the contractor shall not be bound to the contract unless he/she/it elects to be so bound.

BIDDERS PROPOSAL SECTIONREFLECTIVE AND NON-REFLECTIVE PAVEMENT MARKING MATERIAL

<u>ESTIMATED QUANTITY</u>	<u>COLOR</u>	<u>TYPE OF MATERIAL</u>	<u>PRICE PER GAL F.O.B. FORT WAYNE</u>	<u>TOTAL</u>
275 GALLONS (5 GAL.PAILS)	WHITE	NON-REFLECTIVE	<u>\$4.47</u>	\$1,229.25
175 GALLONS (5 GAL.PAILS)	YELLOW	NON-REFLECTIVE	<u>4.43</u>	775.25
*14,025 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	WHITE	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	<u>4.35</u>	61,008.75
**10,175 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	YELLOW	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	<u>4.07</u>	41,412.25

*6,875 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

*2,750 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

**4,125 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

**550 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

F.O.B. DESTINATION DELIVERY TIME AFTER RECEIPT OF ORDER 30 Days

RECOMMENDED SOLVENT: TOLUENE T13

PRICE: \$3.10/Gal., F.O.B. Dest.

SOURCE: REDLAND PRISMO

CERTIFICATE OF COMPLIANCE
FOR
REFLECTORIZED PAVEMENT MARKING PAINTS
(to be attached with all papers on bid quotes)

To: Office of City Traffic Engineer
Room 740, City-County Building
Fort Wayne, IN 46802

Having Authority to act for the Redland Prismo Corporation
(company name)

_____, of 300 Lanidex Plaza
(address)

Parsippany, NJ 07054

_____, I do hereby certify that the
ReflectORIZED Pavement Marking Paints submitted under this
contract by the aforementioned company do conform and meet the
specification as set forth for this contract.

I further certify that said paints are manufactured by _____
Redland Prismo Corporation, and have been tested by a bonafide
testing laboratory, and so meet the standards set forth in the
specifications.

(Signature) _____

Name

John Mack

Title

Assistant Secretary

For the

Redland Prismo Corporation

of

300 Lanidex Plaza
Parsippany, NJ 07054

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Redland Prismo Corporation
_____, does hereby make the following representations
to the City of Fort Wayne, Indiana.

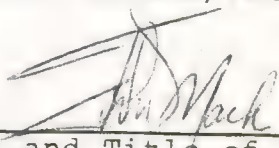
WHEREAS, it is acknowledged that the Common Council
of the City of Fort Wayne, Indiana, has passed an ordinance con-
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,
firms or corporations submitting bids to the City, for goods and
services, certify, as part of the bid, that such entity does not
support the policies of apartheid in South Africa.

The undersigned states, on behalf of Redland Prismo
Corporation, that the company
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed
this 7th day of February, 1980.

REDLAND PRISMO CORPORATION
(Name of Bidder/Vendor)


(Name and Title of Person Signing)
John Mack, Assistant Secretary

M E M O R A N D U M

Redland Prismo

300 Lanidex Plaza • Parsippany, N.J. 07054
Telephone: (201) 884-0300

TO All Managers and Supervisors DATE January 3, 1984

FROM Emmit F. McGovern

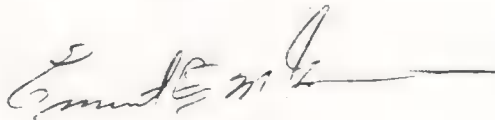
SUBJECT Attached EEO Statements

Attached you will find the following EEO Statements which should be posted on a bulletin board in an area conspicuous for all employees to see:

Company EEO Policy Statement
EEO Affirmative Action Program
Certificate of Nonsegregated Facilities
Recruitment/Advertising Policy

We encourage present employees to refer applicants of all races, male or female, for employment with Redland Prismo Corporation to increase our Affirmative Action Program.

Sincerely,



Emmitt F. McGovern
Corporate EEO Officer

EFM/mwh

M E M O R A N D U M

Redland Prismo

300 Lanidex Plaza • Parsippany, N.J. 07054
Telephone: (201) 884-0300

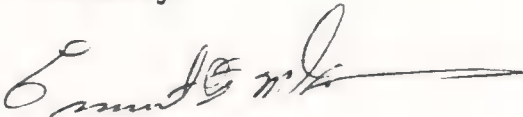
TO All Managers and Supervisors DATE January 3, 1984

FROM Emmitt F. McGovern

SUBJECT Certification of Nonsegregated Facilities

Redland Prismo Corporation certifies that all facilities are furnished on a non segregated basis. These facilities include waiting rooms, work are, rest rooms, eating areas, parking lots, or any facilities furnished for our employees or to the public.

Sincerely



EMMIT F. MCGOVERN
Corporate EEO Officer

EFM/mwh

M E M O R A N D U M

Redland Prismo

300 Lanidex Plaza • Parsippany, N.J. 07054
Telephone: (201) 884-0300

TO All Managers and Supervisors

DATE January 3, 1984

FROM Emmitt F. McGovern

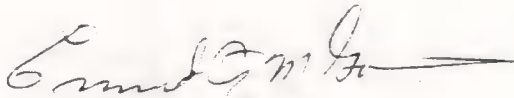
SUBJECT Recruitment - Advertising Policy

Redland Prismo Corporation places employment advertisements in all major newspapers throughout the areas from which we are recruiting. We inform all recruitment sources that any and all qualified minority and female applicants will be given equal consideration for any position open with our company.

It is our policy to assure that applicants are employed and employees are treated equally during employment without regard to their race, religion, sex, color, age, national origin, ancestry or handicap.

All recruitment advertisements placed by us include the words "Equal Opportunity Employer" at the bottom of the advertisement.

Sincerely,



EMMIT F. McGOVERN
Corporate EEO Officer

M E M O R A N D U M

Redland Prismo

300 Lanidex Plaza • Parsippany, N.J. 07054
Telephone: (201) 884-0300

TO All Supervisory and
Administrative Personnel

DATE January 3, 1984

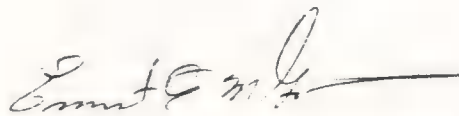
FROM Emmitt F. McGovern

SUBJECT Equal Employment Opportunity

Attached hereto and a part hereof is our Written Statement of Company Policy with respect to equal employment opportunity.

It now becomes part of your responsibility with the Company to implement this policy in every way, especially with respect to taking affirmative action as stated in the policy. Accordingly, you are hereby directed to:

1. Post such notices as are prescribed by the Federal or State Laws, City ordinances and resolutions, and the rules and regulations adopted thereunder together with the applicable orders of the governmental agencies or officers established thereunder.
2. Encourage employment of minority group employees for work in trades where they are not frequently represents.
3. Encourage minority group candidates for apprenticeship classes when scheduled.



Emmitt F. McGovern
Company EEO Officer

M E M O R A N D U M

Redland Prismo

300 Lanidex Plaza • Parsippany, N.J. 07054
Telephone: (201) 884-0300

TO All Managers and Supervisors

DATE January 3, 1984

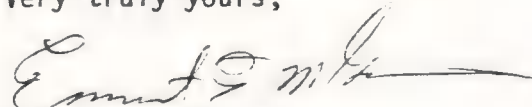
FROM Emmitt F. McGovern

SUBJECT Grievance Procedure

All employees and all applicants for employment shall be informed of all the following avenues for redress of any grievances concerning race, religion, color, sex, national origin, ancestry, age, handicaps or disadvantages and no retaliatory action whatsoever shall be taken against any individual who utilizes these avenues of redress:

1. Any person who believes he or she has been illegally discriminated against must first take the matter to the immediate supervisor.
2. If a satisfactory solution is not reached, the matter may then be taken to the next and subsequent levels of supervision.
3. Each supervisor handling a grievance is to make a written report to the Corporate EEO Officer who will review each case.

Very truly yours,



Emmitt F. McGovern
Corporate EEO Officer

EFM/mwh

Redland Prismo

Redland Prismo Corporation • 300 Lanidex Plaza • Parsippany, New Jersey 07054 • Tel. (201) 884-0300 • Telex. 136-361

CONSIDERATION OF MINORITIES AND FEMALES NOT CURRENTLY IN THE WORKFORCE

1. Redland Prismo Corporation will give as much consideration as possible concerning those minorities and females not currently in the workforce who have requisite skills who can be recruited by affirmative action measures.
2. All persons involved with recruitment shall be advised periodically of the need for wording advertisements in a manner which will gain the attention and interest of those minorities and females who possess requisite skills but are not currently in the workforce. All advertisements will include the phrase "An Equal Opportunity Employer - Male/Female".
3. The company will consult with minority and female employees to determine what suggestions those in the workforce may have that might prove to aid in attracting minorities and females who are not currently in the workforce.
4. The company will consult with local Employment Security and other Department of Labor representatives to seek recommendations.
5. The company will consult with minority and female organizations to solicit their aid in recruiting minorities and females not currently in the workforce.

Redland Prismo

Redland Prismo Corporation • 300 Lanidex Plaza • Parsippany, New Jersey 07054 • Tel. (201) 884-0300 • Telex: 136-361

STATEMENT OF POLICY

Redland Prismo Corporation is an Equal Employment Opportunity Employer.

Redland Prismo will continue to recruit, hire, train, and promote persons in all job titles, without regard to race, color, religion, sex, national origin, age, ancestry or handicap.

Redland Prismo will continue to base decisions on employment so as to further the principles of equal employment opportunity.

The company will continue to insure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.

Redland Prismo will continue to insure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, company sponsored training, education, tuition assistance, social and recreation programs will be administered without regard to race, color, religion, sex, national origin, age, ancestry or handicap.

Redland Prismo

Redland Prismo Corporation • 300 Lanidex Plaza • Parsippany, New Jersey 07054 • Tel: (201) 884-0300 • Telex: 136-361

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE

As used in this Certificate, the word "Company" shall mean Redland Prismo Corporation. As used in this Certificate, the word "Contract" shall mean either "contract", "order", or "subcontract". The word "Contractor" shall mean either "contractor", "seller", or "subcontractor".

1. COMPLIANCE REPORTS:

The contractor certifies that he is in compliance with the rules and regulations on Equal Opportunity set forth in 41 Code of Federal Regulations Part 60-1, and has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance of the United States Department of Labor, the appropriate Government agency or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements.

2. NON-DISCRIMINATION:

During the performance of any contract placed with you by any unit of Company, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, religion, sex, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting office setting forth the provisions of this non-discrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, sex, creed, color or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(i.e., quarterly, semi-annually, or annually). (1968 MAR.) (Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001).

5. EMPLOYMENT OF THE HANDICAPPED:

The Affirmative Action Clause found in Title 41, Section 741.4 of the Code of Federal Regulations shall be deemed to be included in every federal contract or subcontract between Company and the Contractor. Therefore, unless exempt under the terms of Title 41, Section 60-741.3, the Contractor certifies that it will take affirmative action to employ and advance the employment of any qualified handicapped individual. The Contractor further certifies that it will obtain identical certification from subcontractors where such certification would be required by Part 60-741.

6. EMPLOYMENT OF DISABLED VETERANS AND VETERANS OF THE VIETNAM-ERA:

The Affirmative Action Clause found in Title 41, Section 60-250.4 of the Code of Federal Regulations shall be deemed to be included in every federal contract or subcontract between Company and the Contractor. Therefore, unless exempt under the terms of Title 41, Section 60-250.3, the Contractor certifies that it will take affirmative action to employ and advance in employment qualified disabled veterans and veterans of the Vietnam-war and list all suitable employment openings with appropriate local employment services offices. The Contractor agrees to and certifies that it will obtain identical certification from subcontractors where required by such provisions.

These certifications are effective from the date found hereinafter until March 31 of the following year.

AGREED TO AND CERTIFIED BY:

Authorized Signature

Date

Title of Authorized Representative

Seller/Company Name

Seller/Company Address

(6) In any event of the contractor's noncompliance with the non-discrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in the Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of the paragraphs (1) through (7) in every sub-contract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each sub-contractor or vendor. The contractor will take such action with respect to any action with respect to any sub-contract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that in the event the contractor become involved in, or is threatened with, litigation with a sub-contractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

3. AFFIRMATIVE ACTION PROGRAM:

Contractor's attention is directed to Section 60-1.40 of Title 41 of the Code of Federal Regulations, relating to affirmative action compliance programs, and applying to each sub-contractor with a sub-contract of \$50,000 or more and 50 or more employees. Contractor certifies that he had developed and has on file at each of his establishments a written affirmative action compliance program, as called for in Section 60-1.40 of and pursuant to Part 60-2 of Title 41 of the Code of Federal Regulations.

4. CERTIFICATION OF NONSEGREGATED FACILITIES:

The contractor certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it will not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The bidder, offeror, applicant, or sub-contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause of any contract with it by any unit of Company. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom or otherwise. It further agrees that (except where it has obtained identical certifications from proposed sub-contractors for specific time periods) it will obtain identical certifications from proposed sub-contractors prior to the award of sub-contractors exceeding \$10,000 which are not exempt from the provisions of Equal Opportunity clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed sub-contractors (except where the proposed sub-contractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUB-CONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES:

A Certificate of Nonsegregated Facilities, as required by the May 9, 1967, order of Elimination of Segregated Facilities, by the Secretary of Labor (32 Fed. Reg. 7439, May 19, 1967) must be submitted prior to the award of a sub-contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each sub-contract or for all sub-contracts during a period

DISSEMINATION OF POLICY

A. Internal Procedures

The Company policy of equal employment opportunity will be disseminated internally as follows:

1. Inclusion in policy manual.
2. Permanent poster notices.
3. Meetings with executive, management and supervisory personnel, to explain intent of policy and individual responsibility for effective implementation, making clear the President's attitude.
4. Special meetings with all other employees to discuss policy and explain individual employee responsibilities.
5. Discussion of the policy thoroughly in employee orientation.
6. Meetings with applicable union officials to inform them of policy and to request their cooperation.
7. Inclusion of non-discrimination clauses in all union agreements and review of all contractual provisions to insure that they are non-discriminatory.
8. Posting of policy on bulletin boards.
9. If employees are featured in product or consumer advertising, employee handbooks or similar publications, both minority and non-minority men and women will be pictured.
10. Communication to employees the existence of the affirmative action program and making such elements of the program as will enable such employees to know of and avail themselves of its benefits.

B. External Procedures

The Company policy of equal employment opportunity will be disseminated externally as follows:

1. Informing all recruitment sources verbally and in writing of company policy, stipulating that these sources actively recruit and refer minorities and women for all positions listed.

2. Incorporating the equal opportunity clause in all purchase orders, leases, contracts, etc. covered by Executive Order 11246 as amended and its implementing regulations.
3. Notifying minority and women's organizations, community agencies, community leaders, secondary schools, and colleges of company policy.
4. Communicating to prospective employees the existence of the company's affirmative action program and making available such elements of the program as will enable such prospective employees to know of and to avail themselves of its benefits.
5. If employees are pictured in consumer or help wanted advertising, both minorities and non-minority men and women will be shown.
6. Written notification of company policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part.

RESPONSIBILITY FOR IMPLEMENTATION

The Vice President - Administration has been appointed Corporate Equal Employment Opportunity Officer. Responsibilities include the following:

- I. Developing EEO policy, affirmative action programs, and internal and external communication techniques.
- II. Assisting in the identification of problem areas.
- III. Assisting line managers in arriving at solutions to problems.
- IV. Designing and implementing audit and reporting systems that will:
 - A. Measure effectiveness of Prismo's Programs.
 - B. Indicate need for remedial action.
 - C. Determine the degree to which goals and objectives have been obtained.
- V. Serving as liaison between the company and enforcement agencies.
- VI. Serving as liaison with minority organizations, women's organizations and community action groups concerned with employment opportunities of minorities and women.
- VII. Keeping management informed of the latest developments in the entire equal opportunity area.
- VIII. Performing a periodic audit to ensure that each location is in compliance in areas such as the following:
 - A. Display of posters.
 - B. All facilities are in fact desegregated, both in policy and in practice.
 - C. Minority and female employees are afforded a full opportunity and are encouraged to participate in all company - sponsored educational training, recreational and social activities.
 - D. All supervisors understand that their work performance is being evaluated on the basis of their equal employment opportunity efforts and results as well as other criteria.
 - E. There is no harassment of employees placed through affirmative action efforts.



 CATAPHOTE DIVISION

FERRO CORPORATION/CATAPHOTE DIVISION/P.O. BOX 2369/JACKSON, MS 39225-2369/(601) 939-4612/TLX 58-5467

City of Fort Wayne
Department of Purchases
Room 940 City/County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen:

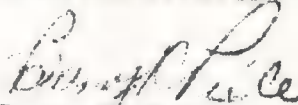
Thank you for your invitation to bid 1240
opening on 2/11/86.

Due to prior commitments, we must submit a "No Bid" response on this invitation. We would, however, appreciate retention of our company on your bidder's mailing list for future invitations.

Thank you for your consideration in this matter.

Respectfully,

CATAPHOTE DIVISION
FERRO CORPORATION


Barry D. Pride
Sales Manager

BDP/djw

2.

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

DATE JANUARY 23, 1986

Department receiving bid items TRAFFIC ENGINEERING DEPARTMENT

FORT WAYNE, INDIANA 46803

Performance Bond Required NO X YES _____ AMOUNT _____

Prompt payment discounts will be allowed as follows: _____ %
if paid within _____ days. Terms: Net 30 Days

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

Name of Company _____
by George D. Thine Agent
V. Pres. (signature) _____

City Willoughby, Ohio 44094

BIDDERS PROPOSAL SECTION.REFLECTIVE AND NON-REFLECTIVE PAVEMENT MARKING MATERIAL

<u>ESTIMATED QUANTITY</u>	<u>COLOR</u>	<u>TYPE OF MATERIAL</u>	<u>PRICE PER GAL F.O.B. FORT WAYNE</u>	<u>TOTAL</u>
275 GALLONS (5 GAL. PAILS)	WHITE	NON-REFLECTIVE	\$3.91	\$ 1,075.25
175 GALLONS (5 GAL. PAILS)	YELLOW	NON-REFLECTIVE	3.81	666.75
*14,025 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	WHITE	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	3.81	53,435.25
**10,175 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	YELLOW	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	3.78	38,461.50

*6,875 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

*2,750 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

**4,125 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

**550 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

F.O.B. Ft. Wayne, Indiana DELIVERY TIME AFTER RECEIPT OF ORDER 30 Days ARO

To: Office of City Traffic Engineer
Room 740, City-County Building
Fort Wayne, IN 46802

Willoughby, OH

I further certify that said paints are manufactured by _____
DeSantis Coatings, Inc. _____, and have been tested by a bonafide
testing laboratory, and so meet the standards set forth in the
specifications.

of

Willoughby, OH 44094

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of DeSantis Coatings, Inc.
_____, does hereby make the following representations
to the City of Fort Wayne, Indiana.

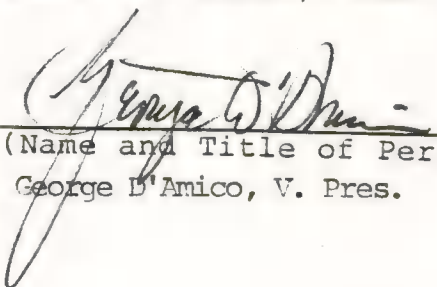
WHEREAS, it is acknowledged that the Common Council
of the City of Fort Wayne, Indiana, has passed an ordinance con-
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,
firms or corporations submitting bids to the City, for goods and
services, certify, as part of the bid, that such entity does not
support the policies of apartheid in South Africa.

The undersigned states, on behalf of DeSantis Coatings, Inc.
_____, that DeSantis Coatings, Inc.
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed
this 6th day of February, 1986.

DeSantis Coatings, Inc.
(Name of Bidder/Vendor)


(Name and Title of Person Signing)
George D'Amico, V. Pres.

(e) Complete (1) and (2) below if participation goals of 15% MBE and 12% WBE have not been met:

1. My Company cannot meet the participation goals for the following reasons: It is a subcontractor
and it has to meet minority business enterprise goals
2. We have taken the following steps in an attempt to comply with these participation goals:

Contractor

DE SANTIS CONTRACTING INC

Contractor

By _____

By John A. Rennie

Its _____

Its ASSISTANT SECRETARY

☐ 12. Performance Bond. The successful bidder, at the time of signing the contract will be required, at his own expense, to furnish a bond guaranteeing faithful execution of the contract, in full amount of the contract price, executed by the bidder and a surety company admitted to do business in Indiana, on the bond form provided or approved by the City. The Performance Bond shall contain the following clause: "The said Surety, for value received, hereby stipulates and agrees, that no change, extension of the time, alteration or addition to the terms of the contract or to the work to be performed thereunder, or the specifications accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any change, extension of time, alteration or addition to the terms of the contract, or to the work or specification.

☒ 13. Councilmanic Approval and Ratification of Contract. This agreement, although executed on behalf of the City by the Mayor and the Purchasing Agent shall not be binding upon the City unless and until the contract has been ratified and approved by the Common Council of the City of Fort Wayne, Indiana. If the Common Council fails to approve the contract within ninety days after the date of bid opening, then the contractor shall not be bound to the contract unless he/she/it elects to be so bound.

2.

(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

BID REFERENCE # 1240

DATE JANUARY 23, 1986

DUE DATE FEBRUARY 11, 1986 AT 10:00 A.M.

Department receiving bid items TRAFFIC ENGINEERING DEPARTMENT

1710 S. LAFAYETTE STREET

FORT WAYNE, INDIANA 46803

Bid Bond Required NO _____ YES X AMOUNT 5%

Performance Bond Required NO X YES _____ AMOUNT _____

Affirmative Action ON FILE X ATTACHED

Prompt payment discounts will be allowed as follows: Net _____ %
if paid within 30 days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

Baltimore Paint & Chemical Co.

Div. The Sherwin-Williams Co.

Name of Company

by _____ Agent _____

(signature)

James M. Kearney Market Manager Hwy Products

Address 2325 Hollins Ferry Road

City Baltimore, Md. 21230

PAINTS BEING QUOTED CONSIST OF INGREDIENT MATERIALS & CONTAINERS
MANUFACTURED BY OTHER THAN MBE/WBE FIRMS. ALTERNATE SOURCES
ARE NOT AVAILABLE TO MEET SPECIFICATION REQUIREMENTS.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT OF THE MBE/WBE
GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

- (a) The undersigned firm certifies that it is an
(MBE/WBE) Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership ____%.

For WBE specify percentage of women ownership ____%.

- (b) The undersigned certifies that they are a joint
venture in which the following (MBE/WBE) firm _____
(cross out inapplicable provision)
is a joint venture partner.

The MBE/WBE (cross out inapplicable provision) firm
shall have ____% participation (employees) ____%
participation (costs) in this project.

Specify the percentage of minority/women ownership
in the MBE/WBE firm ____%. (cross out inapplicable
provision)

- (c) The undersigned commits ____% of the total bid price
as a subcontract to minority business enterprise parti-
cipation. The MBE firms which are proposed as sub-
contractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
---------------------	----------------	---------------------

1.

2.

3.

- (d) The undersigned commits ____% of the total bid price
as a subcontract to women business enterprise partici-
pation. The WBE firms which are proposed as subcon-
tractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
---------------------	----------------	---------------------

1.

2.

3.

BIDDERS PROPOSAL SECTIONREFLECTIVE AND NON-REFLECTIVE PAVEMENT MARKING MATERIAL

<u>ESTIMATED QUANTITY</u>	<u>COLOR</u>	<u>TYPE OF MATERIAL</u>	<u>PRICE PER GAL F.O.B. FORT WAYNE</u>	<u>TOTAL</u>
275 GALLONS (5 GAL.PAILS)	WHITE	NON-REFLECTIVE	4.22*	1160.50
175 GALLONS (5 GAL.PAILS)	YELLOW	NON-REFLECTIVE	4.17*	729.75
*14,025 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	WHITE	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	4.02	56,380.50
**10,175 GALLONS (55 GAL. DRUMS) (55 GAL. PER DRUM)	YELLOW	HIGH VISCOSITY NON-TRACKING FAST DRYING PAVEMENT MARKING MATERIAL	3.85	39,173.75

*6,875 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

*2,750 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

**4,125 GALLONS OF THIS ITEM IS INCLUDED FOR ALLEN COUNTY HIGHWAY DEPARTMENT PURCHASE AND USE.

**550 GALLONS OF THIS ITEM IS INCLUDED FOR BOARD OF AVIATION PURCHASE AND USE.

F.O.B. As requested above DELIVERY TIME AFTER RECEIPT OF ORDER 30-45 days

*Will not accept unless awarded Fast Dry White
and/or Fast Dry Yellow

CERTIFICATE OF COMPLIANCE
FOR
REFLECTORIZED PAVEMENT MARKING PAINTS
(to be attached with all papers on bid quotes)

To: Office of City Traffic Engineer
Room 740, City-County Building
Fort Wayne, IN 46802

Having Authority to act for the Baltimore Paint & Chemical Co.
(company name)
Div. Sherwin-Williams Co. 2325 Hollins Ferry Rd., Balto., Md.
(address)

_____, I do hereby certify that the
ReflectORIZED Pavement Marking Paints submitted under this
contract by the aforementioned company do conform and meet the
specification as set forth for this contract.

I further certify that said paints are manufactured by Baltimore
Paint & Chemical Company, and have been tested by a bonafide
testing laboratory, and so meet the standards set forth in the
specifications.

(Signature) James M. Kearney
Name James M. Kearney
Title Market Manager - Highway Products
For the Baltimore Paint & Chemical Co.
of Div. The Sherwin-Williams Co.

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Baltimore Paint & Chemical Co.
Div. The Sherwin-Williams, does hereby make the following representations
to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council
of the City of Fort Wayne, Indiana, has passed an ordinance con-
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,
firms or corporations submitting bids to the City, for goods and
services, certify, as part of the bid, that such entity does not
support the policies of apartheid in South Africa.

The undersigned states, on behalf of Baltimore Paint &
Chemical Co., that Baltimore Paint & Chemical Co.
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed
this 30th day of January, 19 86.

Baltimore Paint & Chemical Co.
Div. The Sherwin-Williams Co.

(Name of Bidder/Vendor)

James M. Kearney
(Name and Title of Person Signing)

James M. Kearney
Market Manager - Highway Products

DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

D-86-02-23

SYNOPSIS OF ORDINANCE:

AN ORDINANCE APPROVING CIVIL CITY PURCHASE ORDER #A-46464 WITH RESPECT TO THE PURCHASE OF PAVEMENT MARKING MATERIAL FOR THE TRAFFIC ENGINEERING DEPARTMENT PER THE SPECIFICATIONS IN REFERENCE #1240.

EFFECT OF PASSAGE:

THE STREETS OF THE CITY OF FORT WAYNE WILL BE PROPERLY MARKED ACCORDING TO TRAFFIC REGULATIONS.

EFFECT OF NON-PASSAGE:

INADEQUATE MARKING OF THE STREETS OF THE CITY OF FORT WAYNE WHICH WOULD LEAD TO TRAFFIC CONGESTION AND PROBLEMS.

MONEY INVOLVED (Direct costs, Expenditures, Savings):

ENNIS PAINT MFG. INC.

#A-46464

\$37,315.15

ASSIGNED TO COMMITTEE (President):

BILL NO. S-86-02-23

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving Civil City

Purchase Order #A-46464, with the Ennis Paint Mfg., Inc., for the
Traffic Engineering Department of the City of Fort Wayne, Indiana

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

Mark E. GiaQuinta

MARK E. GIAQUINTA
CHAIRMAN

Charles B. Redd

CHARLES B. REDD
VICE CHAIRMAN

Paul M. Burns

PAUL M. BURNS

Janet G. Bradbury

JANET G. BRADBURY

James S. Stier

JAMES S. STIER

CONCURRED IN 3-11-86

SANDRA E. KENNEDY
CITY CLERK